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Express Mail No.: EV 313 841 501 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

T.H.
8-28-03
#7/Election

Application of: Edward R. Hyde, Jr.

Serial No.: 10/057,237

Group Art Unit: 3732

Filed: January 24, 2002

Examiner: Robert, Eduardo C.

For: MODULAR JOINT PROSTHESES

Attorney Docket No.: 10254-006-999

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on July 17, 2003, please enter the following remarks into the file of the above-identified application.

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TECHNOLOGY CENTER R3700

Remarks

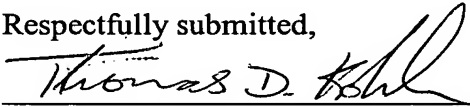
In response to the restriction requirement mailed on July 17, 2003, Applicant elects the claims of Group I, claims 1-31 and 32-41, as indicated by the Examiner, for continued prosecution at this time. To the extent that Group I was misidentified by the Examiner, applicant elects claims 1-31 for continued prosecution.

With respect to the election requirement, applicant elects Species I, as represented by FIG. 25. Applicant respectfully traverses the Examiner's contention that no claims are generic. At least claims 1 and 32 are generic to the species identified by the Examiner. Claims 2-19, 21-31 and 31-41 read on the elected species.

In view of the foregoing remarks it is believed that the application is now in form for examination on the merits and an early and favorable office action is earnestly solicited.

Date: August 18, 2003

Respectfully submitted,



Thomas D. Kohler (Reg. No. 32,797)

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